

The logo for the Air Carrier Association of America (ACAA) in a large, bold, black serif font.

August 2, 2002

The Honorable James M. Loy, Admiral  
Acting Under Secretary  
for Transportation Security  
U.S. Department of Transportation  
400 Seventh Street, S.W.  
Washington, D.C. 20590

**RE: Private Charter Security Rules  
Docket No. TSA-2002-12394**

Dear Under Secretary Loy:

The Air Carrier Association of America, Air Transport Association of America, National Air Carrier Association, and Regional Airline Association join together to renew their request for an extension of the effective date of the Private Charter Security Rule (the "Rule"), 67 Fed. Reg. 41635 (June 19, 2002). The Rule impose a deadline of August 19, 2002, for initiating screening of private charter passengers and their accessible property, and numerous additional security programs. To date, the Transportation Security Administration has not had sufficient time to assimilate the comments in the docket, including comments filed by the named industry trade associations in mid-July, and to address the various operational, logistical and security issues raised in those comments.<sup>1</sup> Furthermore, at most locations, facilities and equipment may not be available to permit compliance with the Rules depending on how the procedures are defined.

The current effective date of August 19, 2002, should be extended to allow sufficient time to resolve the issues and ensure an orderly transition. On behalf of our respective members, we renew our request for a ninety-day extension for compliance. To do otherwise will significantly impair the ability of air carriers to meet the needs of many private charter groups that depend on the flexibility of current charter operations, including Major League Baseball for the remainder of the season (including the playoffs and World Series), and professional and college football teams.

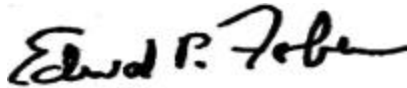
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<sup>1</sup> We urge you to reconsider TSA's practice of routinely issuing final rules without prior notice and opportunity for comment, as this rule was issued. Use of notice and comment rulemaking pursuant to the Administrative Procedure Act would permit issues to be addressed while the final rule is being formulated and would avoid unnecessary delays and complications. The TSA and the public would benefit from this sort of orderly rulemaking process.

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We believe the request for an extension is reasonable and necessary, and appreciate your consideration. Please contact us if you need any additional information or have questions concerning the issues we have raised.

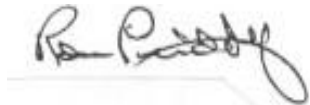
Sincerely,



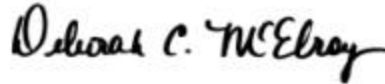
Edward P. Faberman  
Executive Director  
Air Carrier Association of America



Carol B. Hallett  
President & CEO  
Air Transport Association of America, Inc.



Ronald Priddy  
President  
National Air Carrier Association



Deborah C. McElroy  
President  
Regional Airline Association

cc: Docket TSA-2002-12394  
Mr. Tom Blank, TSA  
Mr. Lon Siro, TSA